

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA

DOCKET NO. 92-194-T - ORDER NO. 92-953  
NOVEMBER 9, 1992

IN RE: Application of Genova Express Lines, ) ORDER  
Inc., 728 Clayton Road, P. O. Box 386, ) CLARIFYING  
Williamstown, NJ 08094, for a Class E ) ORDER NO. 92-658  
Certificate of Public Convenience and )  
Necessity. )

This matter is before the Public Service Commission of South Carolina (the Commission) on the Request for Clarification of Order No. 92-658 (August 21, 1992) filed by Genova Express Lines, Inc. (Genova). Order No. 92-658 granted Genova a Certificate of Public Convenience and Necessity to render motor freight service over irregular routes as follows:

COMMODITIES REQUIRING TEMPERATURE CONTROL: Between points and places in South Carolina.

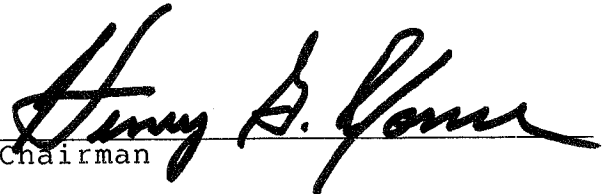
Genova asserts that because Order No. 92-658 does not read "Commodities in General as defined in R.103-211(1) requiring temperature control, it would appear that the authority granted would include liquid commodities in tank trailers." Genova specifies that it would like to haul liquid asphalt in tank trailers.

The Commission has reviewed Genova's Request for Clarification and concludes that Order No. 92-658 does not authorize it to haul liquid asphalt in tank trucks. Genova originally filed for

authority to haul commodities in general as defined in R.103-211(1). Regulation 103-211(1) includes property and commodities generally, except commodities in bulk in tank trucks.<sup>1</sup> Later, Genova filed amendment to its Application limiting its request for a Certificate of Public Convenience and Necessity to the authority ultimately granted. In order for Genova to have obtained authority to haul liquid asphalt in tank trucks it would have been necessary for Genova to have expanded its original Application to include commodities in bulk in tank trucks.<sup>2</sup> The Commission concludes that Genova did not apply for authority to haul liquid asphalt in tank trucks and, in fact, downwardly amended its original Application. Consequently, the Commission determines that Order No. 92-658 does not authorize Genova to haul liquid asphalt in tank trucks.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director

(SEAL)

- 
1. Other exceptions included in R.103-211(1) are not relevant to this discussion.
  2. This request would have required that Genova republish its Notice of Filing to include liquid asphalt in tank trucks.